

1 _____ [Name; Bar ID No.]
2 _____ [Address]
3 _____ [Telephone]

4 Attorney for Debtor(s)

5
6 **UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA**

7 **In re**) **Case No.**
8)
9)
10 _____ **Debtor.**)

11 **APPLICATION AND DECLARATION RE: ADDITIONAL FEES AND EXPENSES**
12 **IN CHAPTER 13 CASES**

13 [For Use Only in Cases Where an Executed Copy of
14 "Rights and Responsibilities" has been Filed]

15 Pursuant to Bankruptcy Code Section 330 and Bankruptcy Rule
16 2016(a), the undersigned hereby applies for \$_____ in
17 additional fees and \$_____ in additional expenses in this
18 Chapter 13 case. In support of this application, the applicant
19 hereby declares under penalty of perjury as follows:

20 The applicant has served as attorney for the debtor since ____
21 _____. On _____ applicant received a
22 retainer of \$_____. An executed copy of this Court's
23 "Rights and Responsibilities of Chapter 13 Debtors and Their
24 Attorneys" was filed on _____. As reflected in that
25 document and in the Bankruptcy Rule 2016(b) disclosure statement,
26 applicant and the debtor agreed that the initial fee for legal
27 services and expenses in connection with this Chapter 13 case
28 would be \$_____. Additional fees have been allowed by

1 order(s) of this Court on the following dates and in the
2 following amounts: _____
3 _____. To date, fees in the amount of \$_____ have
4 been paid by the Chapter 13 Trustee through the debtor's Chapter
5 13 plan.

6 The initial agreed-upon fee, as well as additional fees
7 previously allowed, are not sufficient to fully compensate the
8 attorney for the legal services rendered. The time sheets
9 attached hereto as Exhibit A cover all services rendered to the
10 debtor in connection with this Chapter 13 case since the date the
11 applicant commenced rendering services. [Include a brief
12 description of the specific work for which compensation is sought
13 and a narrative explaining why the fees previously allowed
14 pursuant to the Chapter 13 Fee Guidelines were not sufficient to
15 fairly compensate the applicant for this work in light of the
16 amount or complexity of the work undertaken for the debtor.] _____

17 _____
18 _____
19 _____
20 _____
21 _____.

22 After exercising reasonable billing judgment, the total
23 number of hours expended in this case for which applicant seeks
24 compensation is _____. The applicant's customary hourly
25 rate for services of this nature is \$_____. A reasonable fee
26 for the services rendered would be \$_____ (multiply hours
27 times hourly rate to arrive at the lodestar amount). Attached
28 hereto as Exhibit B is an itemization of all out-of-pocket

1 expenses incurred in connection with this Chapter 13 case.

2 Accordingly, applicant respectfully requests that the Court
3 allow additional fees of \$_____ (lodestar amount less
4 initial agreed-upon fee plus any additional fees previously
5 allowed) and \$_____ in additional expenses to be paid
6 through the Chapter 13 plan.

7 I declare under the penalty of perjury under the laws of the
8 State of California that the foregoing is true and correct.

9 DATED: _____
10 _____
11 Applicant and Attorney for Debtor

12 If the debtor agrees that the requested compensation is
13 reasonable and should be paid, the debtor should sign below.

14 If the debtor does not agree that the additional
15 compensation requested in this application is reasonable or is
16 due and owing, the debtor should not sign below and instead
17 should file a brief written explanation of any objection the
18 debtor may have to the requested compensation.

19
20 DATED: _____
21 _____
22 Debtor

23 DATED: _____
24 _____
25 Debtor
26
27
28